

**DIRECTORS' MEETING  
MONDAY, MARCH 20, 2000 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. "WASHINGTON REPORT" - Chris Giglio - March 10, 2000.
2. CITY OF LINCOLN - NEWS ADVISORY - RE: The Census 2000 Road Tour: How America Knows What America Needs will be in Lincoln Tuesday, March 14 to promote the census (See Release).
3. CITY OF LINCOLN - NEWS RELEASE - RE: Mayor Presents Awards Of Excellence For January and February (See Release).
4. Memo from Jennifer Brinkman - RE: Questions related to the Supplemental Questionnaire for Ambulance Services (See Memo).
5. CITY OF LINCOLN - NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 9:30 a.m. on Thursday, March 16<sup>th</sup> just outside the Mayor's Office (See Release).
6. The RFI Distribution List (See List).
7. CITY OF LINCOLN - NEWS RELEASE - RE: Mayor Announces Release of RFI On Ambulance Services (See Release).
8. CITY OF LINCOLN - NEWS RELEASE - RE: Pennies For Lincoln Campaign Reaches \$2,600 (See Release).

**II. CITY CLERK**

1. Letter and Material from Paul Malzer - RE: Certificate of Public Convenience and Necessity (See Material).

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**COLEEN SENG**

1. Response from Public Works & Utilities Department, Gene Hanlon - RE: Mandatory Recycling (RFI#798)(On the Director's Addendum for 2/28/00)

**JERRY SHOECRAFT**

1. Response from Bill Nass, Public Works & Utilities Department - RE: Complaints about the Alley at 5203 Huntington (RFI#20) (On the Director's Addendum for 2/28/00)

**ANNETTE McROY**

1. OUTSTANDING Request to Public Works & Utilities Department - RE: Highlands Northwest Addition - NW 10<sup>th</sup> St. & W. Keating Drive (RFI#35)
2. Request to Public Works & Utilities Department - RE: To have a traffic light put up between Lewis & Superior Street (RFI#36)

**JONATHAN COOK**

1. Request to Public Works & Utilities Department - RE: Island at 16<sup>th</sup> & South Streets (RFI#23)
2. Request to Building & Safety Department - RE: Hedges overhanging sidewalk on SE corner of 27<sup>th</sup> & South (RFI#24) - Response should be directed to the Public Works Department - No response from B & S Department.
3. Response from Rick Haden, Public Works & Utilities Department - RE: Intersection of 20<sup>th</sup> & Calvert (RFI#21)
4. Request to Public Works Department-Sidewalks – RE: Hedges overhanging sidewalk on SE corner of 27<sup>th</sup> & South (RFI#24A) - (Original sent to the Building & Safety Department, but should go to the Public Works Department instead)

**JON CAMP**

1. Response from Rick Haden, Public Works & Utilities Department - RE: Southeast High School Parking (RFI#18)
2. E-Mail from Jon Camp to Jennifer Brinkman - RE: Ambulance Certificate RFI (See E-Mail).

**B. DIRECTORS AND DEPARTMENT HEADS****FINANCE/AUDITING**

1. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: Keno (See Letter).

**FINANCE**

1. City of Lincoln, Nebraska - Statement of Cash Balances - Statement of Investment Balances - February 29, 2000.

**LIBRARY**

1. Library Director's Report - Lincoln City Libraries - Statistical Report - Fund Balances For February 2000 - Monthly Categorical Report - February 29, 2000.

## **PLANNING**

1. InterDepartmental Memorandum from Kathleen Sellman to Kerry Eagan, County Commissioners Office - RE: Request for Griffin Grant Writing Services FEMA Conservation Easement Grant Application (See Memo).
2. Annexation by Ordinance - Effective Date: March 14, 2000 - 50.69 Acres - Ordinance No. 17623.
3. Letter & Material from Kathleen Sellman - RE: Stevens Creek Basin Conceptual Plan & Stevens Creek Basin Planning Initiative (See Material).

## **PLANNING COMMISSION FINAL ACTION.....**

1. Special Permit No. 1818 (702 West "O" Street) Resolution No. PC-00586.
2. Final Plat No. 99008 - Edenton North 4<sup>th</sup> Addition (North of Glynoaks Dr., west of So. 75<sup>th</sup> and east of Bradock Drive) Resolution No. PC-00587.
3. Special Permit No. 1823A (South of Charleston, west of North 6<sup>th</sup> Street) Resolution No. PC-00589.
4. Comprehensive Plan Conformance No. 00001 (Permanent Conservation Easement - S.W. corner of No. 27<sup>th</sup> & I-80) Resolution No. PC-00586.
5. **CORRECTED** - Special Permit No. 1818 (702 West "O" Street) Resolution No. PC-00588.

## **POLICE DEPARTMENT**

1. Memo from Inv. Russ Fosler - RE: The Point After at 1101 West Dawes (See Memo).

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

1. Memo & pamphlet from Allan Abbott - RE: LinGro Compost (See Material).

## **URBAN DEVELOPMENT**

1. Letter from Wynn Hjermstad - RE: 3<sup>rd</sup> & "F" Street Pedestrian Underpass (See Letter).

## **C. MISCELLANEOUS**

1. Letter from J. Michael Rierden, Attorney at Law - RE: Lenox Village/Winfield Scott (See Letter)(Council copies handed-out to them on 3/13/00).
2. Letter from Donald Mock - RE: To plead with you to vote for the City ordinance section 9.16.230 of the Lincoln Municipal Code, in June 2000, making it unlawful for public nudity (See Letter).
3. E-Mail from Cheryl Ross - RE: The proposed development at 84<sup>th</sup> & Old Cheney Road (See E-Mail).

4. E-Mail from Marilyn Tabor - RE: HiMark Estate 1423C (See E-Mail).
5. Letter from Max D. Clegg - RE: The Lincoln's Comprehensive Plan for a hiker/biker trail along the entire length of Antelope Creek (See Letter).

**IV. DIRECTORS**

**V. CITY COUNCIL MEMBERS**

**VI. ADJOURNMENT**

Directors' Meeting  
MINUTES  
Monday, March 20, 2000  
Conference Room 113

**Council Members Present:** Coleen Seng, Jeff Fortenberry, Jerry Shoecraft, Jon Camp, Jonathan Cook (arrived late), Annette McRoy, Cindy Johnson.

**Others Present:** Mayor Don Wesely, Ann Harrell, Jennifer Brinkman, Mayor's Office; Dana Roper, City Attorney; Directors and Department Heads; City Clerk, Paul Malzer; Tammy Bogenreif, City Council Staff and Chris Hain, Lincoln Journal Star Representative.

**I. MAYOR**

(Beginning of Mayor Wesely's comments did not record on the tape until this point)

Mayor Don Wesely commented to Council that the news media was there, wondering about the Nudity issue that is simple and understandable, but he thinks they have their work cut out for them on the Nudity Ordinance issue. So, he suggested to them that the very important issue was the Stevens Creek Initiatives and they said what is Stevens Creek. Mayor Don Wesely commented that for some of them this has been an issue for 25 years and for some of them it has been longer. Ms. Seng stated to Mayor Wesely that it has been an issue for 40 years, since 1960.

Mayor Wesely stated to Council that he feels good about what Kathleen Sellman from the Planning Department put together regarding the Stevens Creek issue and he hopes that they do as well. Mayor Wesely indicated to Council the one thing he suggests is if they have recommendations on the process of the time table, that it would be something they could talk to Ms. Sellman about. Mayor Wesely stated to Council, if they have recommendations for this over site group that they will be putting together in June to give him some names, that they want to make sure they have a good group and have the best people possible.

1. "WASHINGTON REPORT" - Chris Giglio - March 10, 2000.— Mr. Shoecraft stated to Mayor Wesely that he has a question regarding the "Washington Report". Mr. Shoecraft indicated to Mayor Wesely that he was watching CNN or something like that over the weekend and they were saying that if some tax bill passes, it will possibly effect future highway funding and he was trying to find out what that because one thing that came to his mind was the East and South Beltway.

Mayor Wesely indicated to Mr. Shoecraft that it is the ethanol. Mr. Shoecraft asked what did he hear. Allan Abbott stated to Mr. Shoecraft that the ethanol bill is the one that will impact it (LB 1234), which is the ethanol mandate. Mr. Abbott stated to Mr. Shoecraft the amount of monies that are returned to a State by formula, which part of the formula is the amount the State contributes to the pot and ethanol has about a 5 centive gallon less federal tax on it, then regular gas or not ethanol gas. So this means the amount of money Nebraska will be getting will be decreased somewhat, but he has not been able to find out exactly the numbers yet. Mr. Abbott stated to Mr. Shoecraft that he has been in contact with the Federal Highway Administration in Washington and they haven't gotten back to him on the numbers.

Mr. Shoecraft asked Mr. Abbott so this could effect possibly the East and South Beltway's future funding. Mr. Abbott indicated to Mr. Shoecraft that it could, but it is more than likely going to impact the amount of monies they get with their normal allocation. Mr. Abbott stated to Mr. Shoecraft that the South Beltway was a demonstration project that had ex-number of dollars in it, but what it could impact is the everyday program.

Mayor Wesely stated to Mr. Shoecraft that he doesn't know what is going to happen with this bill, but he thinks there is some opposition starting to go along with it. Mayor Wesely commented to Council in bringing this up, that he wants to remention the support, but he leaves Tuesday night and he will be in Washington on Wednesday to meet on the Airport issue and he will be talking to the Congressional Delegation about some of the things they are working on, so if Council has something they need to bring up let him know.

Ms. Johnson commented to Mayor Wesely that isn't a bad idea because they are being penalized for using ethanol and she was wondering if this was basically what this bill is doing because they are not putting as much into it. Mr. Abbott indicated to Ms. Johnson that there will be less dollars coming back, the way the formula works is very hard at this point, but monies come in separate pots and the pot that is impacted is the Surface Transportation Projects portion of T21, which is the pot the City shares in, so whether or not how much is lost of how much the City losses they don't know yet.

Mr. Abbott stated to Ms. Johnson that basically they have a letter going to the Lincoln Delegation of the Unicameral stating their concerns. Mr. Abbott indicated to Council that the State can make up for any loss by raising the variable gas tax and the City doesn't have this option, so what they said in the letter was if they loss it the City's economy should be held harmless from the State mandate to use ethanol; whether or not this flies anywhere, that this is what they are recommending to the Unicameral. Ms. Johnson asked Mr. Abbott if, he would be happy to share this information with them about what they are doing because this is serious stuff. Mr. Abbott stated to Council that he would be happy to.

Mayor Wesely stated to Council that frankly they don't want to come off against ethanol, but what they would won't to do is point out the impact and that there is a way to deal with it. Mr. Shoecraft commented to Council that he thinks the Governor has some big announcement about encouraging them to do this.

Mr. Fortenberry stated to Mayor Wesely, if they could go back to the Stevens Creek position for a moment regarding the Pre-Council Meeting they had on it this morning. Mr. Fortenberry indicated that he sees some language in here that is echoed a couple of things that he talked about with Public Safety prior to that and he appreciates it, but he just wants to say it one more time. Mr. Fortenberry commented to Mayor Wesely if the rural character of that area is such a tremendous amenity now due to the City because it build character as they move towards a potential organization. Mayor Wesely stated to Mr. Fortenberry that he thinks it will be great. Mr. Fortenberry commented to Mayor Wesely that he thinks everybody can win.

Ms. Seng stated to Mayor Wesely that Council received a letter last week from Eleanor Francke about some material she thought was to be included in it. Ms. Seng stated to Mayor Wesely that Ms. Francke sent a letter to Jim Linderholm, President of HWS Consulting Group, Inc. regarding the material she sent to Ed Kosola about him not receiving it yet. Ms. Seng indicated to Mayor Wesely that she noticed that a copy of this letter was also sent to him. Ms. Seng stated to Mayor Wesely that Ms. Francke was wondering what happened to the material that she sent out. Ms. Seng indicated to Mayor Wesely that all of the Council members received a copy of the material. Mayor Wesely commented to Ms. Seng that he remembers receiving this material from Ms. Francke.

Mr. Shoecraft stated to Mayor Wesely that sometime soon he would like to get an update on the Saint Patrick cross status/progress and etc., that he thinks it has been about a month now, so he can see what is going on over there. Mayor Wesely stated to Mr. Shoecraft okay. Mayor Wesely commented to Mr. Shoecraft real quickly a lot of the stuff they ended up in sure sessions are touch, but they do have the "F" Street situation, there is a bill they plan to amend, so they are in pretty good shape if they can get it out but there is a bill they think can work for them.

2. CITY OF LINCOLN - NEWS ADVISORY - RE: The Census 2000 Road Tour: How America Knows What America Needs will be in Lincoln Tuesday, March 14 to promote the census.— NOTED WITHOUT COMMENTS

3. CITY OF LINCOLN - NEWS RELEASE - RE: Mayor Presents Awards Of Excellence For January and February.— NOTED WITHOUT COMMENTS
4. Memo from Jennifer Brinkman - RE: Questions related to the Supplemental Questionnaire for Ambulance Services.— NOTED WITHOUT COMMENTS
5. CITY OF LINCOLN - NEWS ADVISORY - RE: Mayor Don Wesely will have a news conference at 9:30 a.m. on Thursday, March 16<sup>th</sup> just outside the Mayor's Office.— NOTED WITHOUT COMMENTS
6. The RFI Distribution List (See List). — NOTED WITHOUT COMMENTS
7. CITY OF LINCOLN - NEWS RELEASE - RE: Mayor Announces Release of RFI On Ambulance Services.— NOTED WITHOUT COMMENTS
8. CITY OF LINCOLN - NEWS RELEASE - RE: Pennies For Lincoln Campaign Reaches \$2,600.---- NOTED WITHOUT COMMENTS

## **II. CITY CLERK**

Clerk Malzer stated to Council that in regards to Items 5, 6 & 7 [The three resolutions regarding the renewing of the Golf License Agreements] will be called together during Public Hearing and if there is no problem with it he will also call these items together for the vote.

Clerk Malzer stated to Council that in regards to Items 10 & 11 [Appointments & Reappointments to the Lincoln-Lancaster Women's Commission] will be called together during Public Hearing.

Clerk Malzer stated to Council that in regards to Item 43 [Comp. Plan Amendment 94-48 - Amending the Lincoln Land Use Plan of the 1994 Lincoln-Lancaster County Comprehensive Plan to change the designation from Commercial to Low Density Residential on property generally located east of 70<sup>th</sup> Street between Hwy. 2 & Pine Lake Road] there is a corrected resolution attached to the Investment of Funds Resolution.

Mr. Shoecraft asked Clerk Malzer and Ms. Seng when is Council going to discuss the memo from Clerk Malzer regarding the Public Forum Options. Ms. Seng stated to Mr. Shoecraft that they will discuss this memo at the "Noon" Meeting today. Mr. Shoecraft stated to Ms. Seng okay. Clerk Malzer stated to Council that he has a Director's Meeting at 12:15 p.m. today, so if they wanted to go through the options right now and then discuss it among themselves at the "Noon" Meeting today they could do that. Ms. Seng stated to Clerk Malzer that she thinks they better wait until the "Noon" Meeting today to discuss it.



1. Letter and Material from Paul Malzer - RE: Certificate of Public Convenience and Necessity.--- NOTED WITHOUT COMMENTS

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS**

##### **COLEEN SENG**

1. Response from Public Works & Utilities Department, Gene Hanlon - RE: Mandatory Recycling (RFI#798)(On the Director's Addendum for 2/28/00). — NOTED WITHOUT COMMENTS

##### **JERRY SHOECRAFT**

1. Response from Bill Nass, Public Works & Utilities Department - RE: Complaints about the Alley at 5203 Huntington (RFI#20) (On the Director's Addendum for 2/28/00).--- Mr. Shoecraft stated to Council that there was a problem in the alley at Huntington. Ms. Seng commented to Mr. Shoecraft that it was probably fixed by this time. Mr. Shoecraft stated to Ms. Seng that it is a temporary fix.

##### **ANNETTE McROY**

1. OUTSTANDING Request to Public Works & Utilities Department - RE: Highlands Northwest Addition - NW 10<sup>th</sup> St. & W. Keating Drive (RFI#35).— NOTED WITHOUT COMMENTS
2. Request to Public Works & Utilities Department - RE: To have a traffic light put up between Lewis & Superior Street (RFI#36).—NOTED WITHOUT COMMENTS

##### **JONATHAN COOK**

1. Request to Public Works & Utilities Department - RE: Island at 16<sup>th</sup> & South Streets (RFI#23).— Mr. Cook arrived late to the Director's Meeting - NOTED WITHOUT COMMENTS
2. Request to Building & Safety Department - RE: Hedges overhanging sidewalk on SE corner of 27<sup>th</sup> & South (RFI#24) - Response should be directed to the Public Works Department - (There will be no response from the B & S Department).— Mr. Cook arrived late to the Director's Meeting - NOTED WITHOUT COMMENTS

3. Response from Rick Haden, Public Works & Utilities Department - RE: Intersection of 20<sup>th</sup> & Calvert (RFI#21).--- Mr. Cook arrived late to the Director's Meeting - NOTED WITHOUT COMMENTS
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2. E-Mail from Jon Camp to Jennifer Brinkman - RE: Ambulance Certificate RFI.— NOTED WITHOUT COMMENTS

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **FINANCE/AUDITING**

1. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: Keno.--- NOTED WITHOUT COMMENTS

### **FINANCE**

1. City of Lincoln, Nebraska - Statement of Cash Balances - Statement of Investment Balances - February 29, 2000.— NOTED WITHOUT COMMENTS

### **LIBRARY**

1. Library Director's Report - Lincoln City Libraries - Statistical Report - Fund Balances For February 2000 - Monthly Categorical Report - February 29, 2000.— NOTED WITHOUT COMMENTS

### **PLANNING**

1. InterDepartmental Memorandum from Kathleen Sellman to Kerry Eagan, County Commissioners Office - RE: Request for Griffin Grant Writing Services FEMA Conservation Easement Grant Application.— NOTED WITHOUT COMMENTS
2. Annexation by Ordinance - Effective Date: March 14, 2000 - 50.69 Acres - Ordinance No. 17623.— NOTED WITHOUT COMMENTS

Mr. Camp stated to Council the one thing he has a question on was in regards to an item that they have on their Council Agenda for next Monday for Public Hearing on the South 70<sup>th</sup> & Highway 2 that was denied, which he believes was voted 7-1 by the Planning Commission. Mr. Camp stated to Council and Kathleen Sellman that he met with some of the

neighbors. Mr. Camp stated to Ms. Sellman that he would like to see some more information on it. Ms. Sellman asked Mr. Camp what specifically is it that he would like to see regarding this issue. Mr. Camp commented to Ms. Sellman that he is sure they have a lot of information on it, but he would like to see some material that might give him guidance, that he could recommend as a representative for that district. Ms. Sellman indicated to Mr. Camp that the Project Review which included several pages of historic requests and actions on this particular piece of ground and in the general area and that background is also included with it and that they will be getting this information to them. Ms. Sellman stated to Mr. Camp, if there is any more information he would like to see on any of these particular things that it could be provided for them without too much trouble. Mr. Camp thanked Ms. Sellman.

Mr. Fortenberry asked Ms. Sellman, if they are recommending this Comprehensive Plan Amendment. Ms. Sellman stated to Mr. Fortenberry what is being recommended is actually a combination of residential. Mr. Fortenberry asked Ms. Sellman to explain it to him exactly what she is thinking. Ms. Sellman stated to Mr. Fortenberry that it is an attempt to provide an transition from the existing residential areas or to a none residential use that should be commercial. Mr. Fortenberry indicated to Ms. Sellman that he is confused about the lines of what is on the map (held up the map).

Mayor Wesely stated to Mr. Fortenberry that he thinks the inside is commercial and it is surrounded by some other buffer by middle, then it is residential to the southeast. Mayor Wesely indicated to Mr. Fortenberry that was the compromise that was proposed by the Planning Department, but was not supportive by the Planning Commission. Ms. Sellman indicated to Mr. Fortenberry that it was not supported by the Planning Commission at all that the vote was 7-1. Mayor Wesely indicated to Mr. Fortenberry that the neighborhood group didn't want it to go commercial at all, that they just wanted it totally residential. So, you have basically three choices commercial all the way, combination, or residential only.

Mr. Fortenberry commented that one of the initial difficulties (he needs to look at the history obviously), but he thinks the initial proposal was a car lot which was so upsetting to everyone, that he don't think anybody on the Council at that time wanted to see this happen, but there was a disposition that went on to maybe perhaps it was reasonable to think commercial accept for good. Mr. Fortenberry asked Ms. Sellman, if there was any other discussion about that types of commercial like neighborhood. Ms. Sellman stated to Mr. Fortenberry that there was discussion, that the property owner is in discussion with a specific user for that property, but at this point the property owner is unable to disclose what the specific nature of that user would be. So this makes it real difficult to react to it. Ms. Sellman indicated to Mr. Fortenberry the farthest to the east is residential, the farthest to the west (which is surrounded by the buffer area) is to remain commercial. Mr. Fortenberry commented to Ms. Sellman that he thinks she might have it the other way.

Ms. Seng asked Ms. Sellman, if someone could redo the map for them because they are having a little trouble reading it. Ms. Sellman stated to Ms. Seng okay, that she will get them a new map. Mr. Cook asked Ms. Sellman if this map is in accurate. Ms. Sellman stated to Mr. Cook that the map is accurate that it is confusing. Ms. Seng commented that most of them are being lobbied on all sides.

3. Letter & Material from Kathleen Sellman - RE: Stevens Creek Basin Conceptual Plan & Stevens Creek Basin Planning Initiative.— NOTED WITHOUT COMMENTS

#### **PLANNING COMMISSION FINAL ACTION.....**

1. Special Permit No. 1818 (702 West "O" Street) Resolution No. PC-00586.— NOTED WITHOUT COMMENTS
2. Final Plat No. 99008 - Edenton North 4<sup>th</sup> Addition (North of Glynoaks Dr., west of So. 75<sup>th</sup> and east of Braddock Drive) Resolution No. PC-00587.— NOTED WITHOUT COMMENTS
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5. **CORRECTED** - Special Permit No. 1818 (702 West “O” Street) Resolution No. PC-00588.— NOTED WITHOUT COMMENTS

#### **POLICE DEPARTMENT**

1. Memo from Inv. Russ Fosler - RE: The Point After at 1101 West Dawes.— NOTED WITHOUT COMMENTS

Ms. Seng commented to Chief Casady about an event they had last night. Chief Casady thanked Mayor Wesely and Ms. Seng for coming to the Santa Cop Appreciation Night last night. Chief Casady stated that Mayor Wesely and Ms. Seng attended this event last night for a little bit. Chief Casady stated that Mayor Wesely took knowledge of people that helped them with the Santa Cop plans.

#### **PUBLIC WORKS & UTILITIES DEPARTMENT**

1. Memo & pamphlet from Allan Abbott - RE: LinGro Compost.— Ms. Seng stated to Allan Abbott that the Council seen their sample of the compost that they had left for them in the Council Office.

#### **URBAN DEVELOPMENT**

1. Letter from Wynn Hjermstad - RE: 3<sup>rd</sup> & “F” Street Pedestrian Underpass.— NOTED WITHOUT COMMENTS

#### **C. MISCELLANEOUS**

1. Letter from J. Michael Rierden, Attorney at Law - RE: Lenox Village/Winfield Scott (Council also received a copy of this letter on 3/13/00).— NOTED WITHOUT COMMENTS
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5. Letter from Max D. Clegg - RE: The Lincoln’s Comprehensive Plan for a hiker/biker trail along the entire length of Antelope Creek.--- NOTED WITHOUT COMMENTS

## **ADDENDUM**

### **III. CORRESPONDENCE**

#### **C. MISCELLANEOUS**

1. Letter from Marilyn Teel, Director and Staff, Gramercy Hill - RE: To voice their support for the Rural Metro Ambulance Service.— NOTED WITHOUT COMMENTS

Mr. Cook asked Ms. Seng if they should say something at the beginning of the Formal City Council Meeting today, that the HiMark Estate 1423C has been delayed because a lot of people know about it. Ms. Seng asked Clerk Malzer if he would make sure that Council gets this announced at the beginning of the Formal Council Meeting. Clerk Malzer stated to Ms. Seng okay.

### **IV. DIRECTORS**

**PLANNING** - Kathleen Sellman stated to Council that she has a response on the Request For Information regarding Winfield Scott's property. (Ms. Sellman handed out to Council the response letter) (Copy of this hand out is on file in the City Council Office.)

Mayor Don Wesely stated to Council that he forgot to mention to them that on the Parks & Recreation there is an ordinance change and he thinks there were some concerns about what this really does. Mayor Wesely stated to Council that he would like to take a second to discuss this issue with them. Mayor Wesely indicated to Council one thing it doesn't do is change anything on the alcohol issue. Mayor Wesely stated to Council that he wanted to let them know that this is off limits and that it is not part of the deal. Mr. Fortenberry stated to Mayor Wesely that Jim Morgan gave really good testimony last week on it and the rest of the Council agreed. Mayor Wesely stated to Council that he was worried that they might be concerned about it, so he wanted to make sure they all knew this information.

### **V. CITY COUNCIL MEMBERS**

#### **JON CAMP - NO COMMENTS**

#### **JERRY SHOECRAFT**

Mr. Shoecraft stated that he was going over the Planning Commission Final Action that was a request by Mike Rierden for authority to park and display vehicles for sale in the front yard on property located on West "O" Street and he was wondering what this matter was about. Mr. Shoecraft asked if it is natural residential front yard. Ms. Sellman stated to Mr. Shoecraft that this is a car lot, which has a set back from the street that is required before the cars can be parked on the lot for a request to get rid of that set back. Mr. Shoecraft commented that you drive around the City seeing cars in people's front yards for sale, which he thinks they shouldn't allow people to do. Ms. Sellman indicated to Mr. Shoecraft that the car lot is right next to "Popeye's" on West "O" Street. Mr. Shoecraft stated to Ms. Sellman okay.

**JEFF FORTENBERRY - NO COMMENTS**

**CINDY JOHNSON**

Ms. Johnson stated to Jim Morgan she doesn't know how many years ago that she and he were talking about different things and different ways they are recycling tires and he had the name of a gentleman that she believes is in Nebraska City. Ms. Johnson indicated to Mr. Morgan that someone had called her and asked her if she knows anything and she told them she knows where she can get the names. Ms. Johnson asked Mr. Morgan if he can possibly get her this gentleman's name.

Mr. Morgan indicated to Ms. Johnson that he would be happy to give it to her and that there is more than one and most groups know that there is a significant rebate process to the recycling money. Mr. Morgan indicated to Ms. Johnson that they were just in Des Moines on Friday looking at another provider that uses 25% Nebraska tires, so he has a whole list of potential names. Ms. Johnson asked Mr. Morgan if he could possibly give her some of those names and numbers. Ms. Johnson commented that she would really like to promote it if she has an opportunity to do it.

Ms. Johnson stated to Chief Casady that they have been great about doing some selective traffic enforcement on Superior Street between 14<sup>th</sup> & 27<sup>th</sup> Street during the day, but she received an angry call from someone last night, that said they are really blowing his doors off in the evening. Ms. Johnson asked Chief Casady at some point, if he could put this into that group. Ms. Johnson indicated to Chief Casady that she is sure it has to do with some of the traffic signals there because it changes for the night traffic vs. the day traffic and this might be encouraging them to speed a little bit. Chief Casady stated to Ms. Johnson okay.

**ANNETTE McROY - NO COMMENTS**

**JONATHAN COOK**

Mr. Cook stated that he would like to talk with Allan Abbott, Jim Morgan and Kathleen Sellman after the Director's Meeting today.

Mayor Don Wesely asked Council, if any of them seen the story in the newspaper about Johnny Cash Austin. Council stated to Mayor Wesely that they seen the Johnny Cash Austin story.

**COLEEN SENG**

Ms. Seng stated to Allan Abbott that she received a call from someone that is close to the area that Ms. Johnson was talking about on Superior Street and it was really on the "engine braking" issue and she encouraged him to send a letter to the Council. Ms. Seng indicated to Mr. Abbott that maybe they need to bring something forward, if they have to strengthen something that is already on the books or whatever they need to do because this is popping up every where around the edges of the City.

Mr. Cook asked Jennifer Brinkman what is the status on the legislation for the "engine braking". Ms. Brinkman stated to Mr. Cook that she thinks it is still on general file, that it wasn't prioritized. Ms. Brinkman indicated to Mr. Cook that this legislation regarding "engine braking" was specifically geared towards the interstate. Mr. Cook asked Ms. Brinkman so they can still put it aside. Ms. Brinkman indicated to Mr. Cook that is correct. Ms. Seng asked Mr. Abbott to revisit with Rick Haden in regards to the "engine braking" issue. Mr. Abbott stated to Ms. Seng okay.

Mr. Shoecraft asked Allan Abbott or someone how come everybody can stick up signs every where about loss 30lbs., etc., that politically they can't stick a sign up on a corner between the sidewalk and the street. They get turned in and the vary rounds can stick up signs every where and he doesn't understand this. Mr. Shoecraft indicated that the signs are put up every where.

Chief Casady stated to Mr. Shoecraft that you can't, it is illegal to put a sign up between the sidewalk and the curb on the public property. Chief Casady stated that they have removed signs on a regular basics. Chief Casady indicated to Council that he personally calls the 1-800 # on his cell phone every time he sees one of these signs, but he has never gotten to talk to a live human being, but he has left some very interesting voice mails from the Police Chief about those signs and he takes the signs down personally every time he has seen one of them. Chief Casady commented to Council and he has lost 50 lbs. [laughter]

Mr. Cook stated that there is someone from the Building & Safety Department who also has been kind of on top of it, who is Mel Goddard. Mike Merwick stated to Council that they take care of those signs as they go, they are doing something with the banners right now that are misplaced by some people. Mr. Merwick stated to Council that they take care of the signs as they receive the complaints.

Mr. Fortenberry asked Mr. Merwick, if there is another enforcement mechanism or is there a fine attached to it. Mr. Fortenberry commented that he thinks most people do it innocently obviously, and the Building & Safety Department has responded to him when he has called them about these signs in the Highlands area, but he hasn't seen any in along time. Mr. Fortenberry asked Mr. Merwick if there is a fine attached to it. Mr. Merwick stated to Mr. Fortenberry if they didn't remove the signs there probably would be, that usually you are trying to get rid of the problem and so if you take the sign off that is the end of it. Mr. Merwick stated to Council maybe if they can put a little letter or a news flash out to everybody to try to take care of this problem. Mr. Merwick commented to Council the same thing is going to happen starting right now is "garage sale" signs up on telephone poles and every place else. Mr. Merwick stated to Council that they also take the "garage sale" signs down or they tell the people they can't have them.

Ms. Seng commented to Mayor Wesely that maybe at some news conference he can ask the Building & Safety Department to come and talk about it, so there would be a press release out on it. Mayor Wesely commented to Council well my mother is the worst of families to put the signs up. [laughter] Mayor Wesely commented to Council that he is going to have to call his mom about it. Mr. Fortenberry stated that he is concerned about everything else, but garage sale signs. [laughter]

## **VI. MEETING ADJOURNED AT 11:37 A.M.**